

140
Practitioner's Docket No. 2757/101

CFW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of: Marc O. Schurr

Application No.: 10/722,109

Filed: 11/25/2003

For: Medical Implant

Group No.: 3738

Examiner: Matthews, W.H.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)
 with sufficient postage as first class mail.

37 C.F.R. § 1.10*
 as "Express Mail Post Office to Addressee"
Mailing Label No. _____ **(mandatory)**

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.



Signature

Date: July 19, 2007

Timothy M. Murphy
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	OTHER THAN A SMALL ENTITY							
TOTAL	18	–	28	=	0	x	\$ 50.00	=	\$ 0.00	ADDIT. FEE
INDEP.	3	–	3	=	0	x	\$ 200.00	=	\$ 0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+	\$ 0.00	=	\$ 0.00		
TOTAL ADDIT. FEE \$ 0.00										

No additional fee for claims is required.

FEE DEFICIENCY

5. If an extension and/or fee is required, charge Account No. 19-4972.

If a fee for claims is required, charge Account No. 19-4972.

Date: July 19, 2007



Timothy M. Murphy
Registration No. 33,198
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
US
617-443-9292
Customer No. 02101

02757/00101 708192.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schurr Att'y Docket: 2757/101
Serial No: 10/722,109 Examiner: Matthews, W.H.
Date Filed: November 25, 2003 Art Unit: 3738
Invention: Medical Implant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **July 19, 2007**.

Timothy M. Murphy

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed on June 19, 2007, Applicant responds as follows.

Amendments to the Claims begin on page 2 in this paper.

Remarks begin on page 6 of this paper